



**RECEIVED  
CENTRAL FAX CENTER**

**MAR 22 2005**

2345 Grand Boulevard  
Suite 2800  
Kansas City, Missouri 64108-2884  
(816) 292-2000, Fax (816) 292-2001

[www.lathropgage.com](http://www.lathropgage.com)

Direct Dial Number:  
(816) 460-5848  
  
10851 Mastin Blvd.  
Building 82, Suite 1000  
Overland Park, KS 66210-1669  
(913) 451-5100, Fax (913) 451-0875  
  
The Equitable Building, Suite 1300  
10 South Broadway  
St. Louis, MO 63102-1708  
(314) 813-2500, Fax (314) 613-2550  
  
314 East High Street  
Jefferson City, MO 65101  
(573) 893-4336, Fax (573) 893-6398

1845 S. National  
Springfield, MO 65808-4288  
(417) 888-2000, Fax (417) 888-9126

4845 Pearl East Circle  
Suite 300  
Boulder, CO 80301  
(720) 931-3000, Fax (720) 931-3001

1200 G Street, N.W.  
Suite 800  
Washington, D.C. 20005  
(202) 434-8984, Fax (202) 434-8992

March 22, 2005

From: James M. Stipek

Matter No.: 1459 (385919)

To:	Company:	Fax Number:	Phone Number:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313- 1450	USPTO	1-703-872-9304 (Examiner David C. Payne)	

Number of Pages Transmitted (including this cover sheet):

Message: RE: U.S. Patent Application No. 09/784,517;  
System and Method for Transmitting Signals Over a Fiber Strand;  
Applicants: John W. Linebarger et al.,  
Group 2633

Attached for filing please find the following: Certificate of Facsimile Transmission (1 page); Transmittal Form (1 page); Response to Office Action (12 pages); and authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 21-0765.

If you have a problem receiving this facsimile, please call: (816) 460-5848

Fax Attendant: \_\_\_\_\_

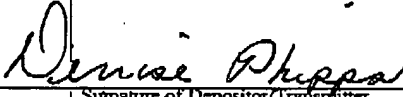
**CONFIDENTIALITY NOTE:**

The information in this facsimile message ("fax") is sent by an attorney or his/her agent, is intended to be confidential and for the use of only the individual or entity named above. The information may be protected by attorney/client privilege, work product immunity or other legal rules. If the reader of this message is not the intended recipient, you are notified that retention, dissemination, distribution or copying of this fax is strictly prohibited. If you receive this fax in error, please notify us immediately by telephone and return it to the address above. Thank you.

CC 1397828v1

BEST AVAILABLE COPY

*Received in CF  
on 6-24-05*

CERTIFICATE OF FACSIMILE TRANSMISSION			Matter No.
Applicant(s): Linebarger et al.			1459
Serial No.	Filing Date	Examiner	Group Art Unit
09/784,517	February 15, 2001	David C. Payne	2633
Invention: System and Method for Transmitting Signals Over a Fiber Strand			
I hereby certify that this Transmittal Form (1 page); Response to Office Action (12 pages); and authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 21-0765; are being sent via facsimile to (703) 872-9304 for Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22nd day of March, 2005.			
		Denise Phipps	
		Name of Depositor/Transmitter	
			
		Signature of Depositor/Transmitter	

BEST AVAILABLE COPY

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

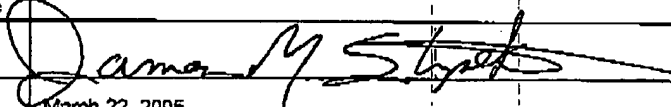
Approved for use through 10/31/2002. OMB 0651-0031

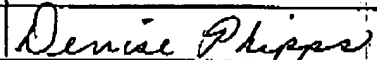
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/784,517
	Filing Date	February 15, 2001
	First Named Inventor	John W. Linebarger
	Group Art Unit	2633
	Examiner Name	David C. Payne
Total Number of Pages in This Submission	Attorney Docket Number	1459

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney/Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Certificate of Facsimile Transmission</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James M. Stpek
Signature	
Date	March 22, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being sent via facsimile to 703-872-9304 for: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: March 22, 2005			
Typed or printed name	Denise Phipps		
Signature		Date	March 22, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CC 1397824v1

BEST AVAILABLE COPY

PATENT  
Attorney Docket No. 1459

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Linebarger et al.  
Serial No. 09/784,517  
Filed February 15, 2001  
For System and Method for Transmitting  
Signals Over a Fiber Strand

Examiner Payne, David C.  
Group Art No. 2633  
Confirmation No. 3317

RECEIVED  
CENTRAL FAX CENTER

MAR 22 2005

March 22, 2005

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE

In response to the Examiner's Office action mailed December 28, 2004,  
Applicants make the following remarks.

BEST AVAILABLE COPY

## CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10

I hereby certify that, on the date shown below, this correspondence is being

- ☐ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with sufficient postage:

## MAILING

- ☐ 37 C.F.R. § 1.8  
as first class mail.

- ☐ 37 C.F.R. § 1.10  
as "Express Mail Post Office to Addressee"  
EXPRESS MAIL NO. \_\_\_\_\_

## FACSIMILE TRANSMISSION

- ☒ transmitted by facsimile to the Patent and Trademark Office via 703-872-9306 for Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Denise Phipps  
Name of Depositor/Transmitter

*Denise Phipps*  
Signature

March 22, 2005  
Date

CC 1397363v1